IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 8216 of 2004

Between:

APSRTC rep.by its Managing Director
Musheerabad, Hyderabad

..... PETITIONER

AND

1.The State Transport Appellate Tribunal Manoranjun complex, M.J.Road, Nampally, AP., Hyderabad-500 001 rep. by its Presiding Officer.

2. Regional Transport Authority Nellore Dt., at Nellore, rep. by its Secretary.

3.Sri S.A. Rawoof S/o Abdul Azeez,
8/633, Musilm Street, Ranganayakulapet
Nellore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction, especially in the nature of writ, order or direction especially in the nature of writ of Certiorari calling for the records relating to the impugned order dt.7/11/2003 made in AP.94/03 on the file of the State Transport Appellate Tribunal, AP., Hyderabad in setting aside the order dt.19/12/2002 in item No. 73 in R.No.17713/A3/2002 and directing issue of permit to 3rd respondent on the route Venkateshwarapuram to Kalakarula colony and quash the same as being hit by the provision of section 68(3) (ca) and 104 of M.V. Act, 1988.

Counsel for the Petitioner: MR.KALLAKURI SRINIVASARAO

Counsel for the Respondents 1& 2: GP FOR TRANSPORT

Counsel for Respondent No.3: Mr.P.Rajagopala Chary

The Court made the following:

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO. 8216 of 2004

ORDER:

In view of the law laid down by the Full Bench of this Court in *A.P.S.R.T.C. v. STATE TRANSPORT APPELLATE TRIBUNAL*[1] granting permission to ply town services in the route, which is notified as mofussil route, the scheme shall not affect the existing town services operating on the notified routes.

In view of the same, the impugned order dated 07-11-2003 made in AP.No.94 of 2003 on the file of the State Transport Appellate Tribunal, AP., Hyderabad, does not suffer from any infirmity.

Accordingly, the writ petition is dismissed. No costs.

_____

kvr 14th July, 2004

TO

1.The State Transport Appellate Tribunal Manoranjun complex, M.J.Road, Nampally, AP., Hyderabad-500 001 rep. by its Presiding Officer.

2. Regional Transport Authority Nellore Dt., at Nellore, rep. by its Secretary.

3. Two C.Cs. to GP for Transport, High Court Buildings, High Court of A.P. (OUT)

4. Two C.D.Copies.